


Re: Seneca ADR 
Ted Yackulic to: Anthony Barber
Cc: Alan Henning, Koprowski.Paul

09/30/2009 09:07 AM

Attorney Client Communication
Deliberative Process

Tony,

Here is a little more feedback. I have not received any responses that suggested an interest in the Region investing in a collaborative discussion related to air quality monitoring issues in Eugene. In contrast to a permit related effort, I suspect this is due to the lack of a compelling federal interest, the issues appears to involve local and state air quality and community awareness issues; and to the likely increase in required resources -- more parties would be involved, the issues are not all identified or well framed, any neutral lead effort would likely involve a greater effort than the contemplated permit effort.


It looks like the interested parties are willing to entertain a discussion related to the Eugene air shed issues and the discussion could be worth while. I had a few conversations with interested stakeholder representatives and I picked up on a lot of poor communication/trust issues related to the local management of air issues and citizen involvement. You may want to whether the State wants to take ownership or assist this effort. I do believe Oregon has resources set aside for collaborative efforts.

Ted Yackulic
Office of Regional Counsel
206 553 1218
yackulic.ted@epa.gov

Anthony Barber okay, thanks Anthony L. Barber, PE

09/29/2009 05:19:57 PM

**Anthony
Barber/R10/USEPA/US**
09/29/2009 05:20 PM

To Ted Yackulic/R10/USEPA/US@EPA
cc Alan Henning/R10/USEPA/US@EPA,
Koprowski.Paul@epamail.epa.gov
Subject Re: Seneca ADR 

okay, thanks

Anthony L. Barber, PE
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Ted Yackulic I have not started a response. My case work cau...

09/29/2009 05:06:07 PM

Ted Yackulic/R10/USEPA/US
09/29/2009 05:05 PM

To Anthony Barber/R10/USEPA/US@EPA
cc Alan Henning/R10/USEPA/US@EPA,

Koprowski.Paul@epamail.epa.gov
Subject Re: Seneca ADR 📎

I have not started a response. My case work caught up with me. I should be able to get to this tomorrow or Thursday.

Anthony Barber/R10/USEPA/US

**Anthony
Barber/R10/USEPA/US**
09/29/2009 05:01 PM

To Ted Yackulic/R10/USEPA/US@EPA, Alan
Henning/R10/USEPA/US@EPA,
Koprowski.Paul@epamail.epa.gov
cc
Subject Re: Seneca ADR 📎

Hi All,

Do any of you three have a status update on where this effort is?

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Ted Yackulic	No problem on sharing the drafts. I appreciate th...	09/23/2009 09:00:26 AM
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**Ted
Yackulic/R10/USEPA/US**
09/23/2009 08:59 AM

To Paul Koprowski/R10/USEPA/US@EPA
cc Alan Henning/R10/USEPA/US@EPA, Anthony
Barber/R10/USEPA/US@EPA, Janis
Hastings/R10/USEPA/US@EPA, Judith
Lee/R10/USEPA/US@EPA, Kathleen
Veit/R10/USEPA/US@EPA, Nancy
Helm/R10/USEPA/US@EPA, Richard
Parkin/R10/USEPA/US@EPA, Rick
Albright/R10/USEPA/US@EPA, Running
Grass/R10/USEPA/US@EPA
Subject Re: Seneca ADR 📎

No problem on sharing the drafts. I appreciate the help.

We could offer assistance on facilitation, however, depending on how involved (number of meetings, goal

of effort) a multi-party stakeholder discussion that was facilitated by a third party neutral could be resource intensive. In-house resources if available may be less resource intensive but would still involve significant employee time and travel.

Paul Koprowski


Ted, Sorry for the delay getting back to you yest...

09/23/2009 08:51:48 AM



**Paul
Koprowski/R10/USEPA/US**

09/23/2009 08:52 AM

To Ted Yackulic/R10/USEPA/US@EPA
cc Alan Henning/R10/USEPA/US@EPA, Anthony Barber/R10/USEPA/US@EPA, Janis Hastings/R10/USEPA/US@EPA, Judith Lee/R10/USEPA/US@EPA, Kathleen Veit/R10/USEPA/US@EPA, Nancy Helm/R10/USEPA/US@EPA, Richard Parkin/R10/USEPA/US@EPA, Rick Albright/R10/USEPA/US@EPA, Running Grass/R10/USEPA/US@EPA
Subject Re: Seneca ADR 

Ted,

Sorry for the delay getting back to you yesterday. I'd like to help by reviewing your initial cut at a draft letter. I'm curious what you meant to write at the end of the first paragraph. Given recent communications between LRAPA and OTA it doesn't seem like there's much in dispute anymore.

I'm guessing your letter will be focused on ADR and possibly EJ issues. There were air program issues, eg. permitting and concern about criteria pollutant emissions, raised in the letter as well. I'm wondering (and this is a question to the group) if there's a need for the program to respond to the other program issues raised in the request or should we just stick to responding to the request for ADR? Also, since the techniques used for ADR at EPA include "facilitation, convening, mediation, consensus-building, and ombudsmen." can we include an offer for facilitation?

Paul


Ted Yackulic

I'd like to send a response to OTA and LRAPA a...

09/22/2009 01:13:24 PM

**Ted
Yackulic/R10/USEPA/US**

09/22/2009 01:12 PM

To Alan Henning/R10/USEPA/US@EPA, Anthony Barber/R10/USEPA/US@EPA, Janis Hastings/R10/USEPA/US@EPA, Judith Lee/R10/USEPA/US@EPA, Kathleen Veit/R10/USEPA/US@EPA, Nancy Helm/R10/USEPA/US@EPA, Paul Koprowski/R10/USEPA/US@EPA, Richard Parkin/R10/USEPA/US@EPA, Rick Albright/R10/USEPA/US@EPA, Running Grass/R10/USEPA/US@EPA
cc
Subject Re: Seneca ADR 

I'd like to send a response to OTA and LRAPA about the initial ADR and existing ADR request. The initial approach (centered on the permit) does not appear viable given the LRAPA's and Seneca's reluctance to participate. The existing request (air monitoring in Eugene) is broader, involves more stakeholders and

does not appear to have as strong a nexus to a federal issue as the permit. I'd like to pass the request on to the State and local government. Oregon has services that may be able to facilitate the discussion. We could also follow up on EJ and air issues through our program contacts but I don't think the existing request makes a

Does this approach sound okay? Does anyone want to help with the response? I could take an initial cut at a letter. The letter would summarize the request, our interest in supporting the initial request and our sense of whether parties are interested in the use of a neutral for the permit issue.

Thanks,


Ted

Ted Yackulic	Attorney Client Communication I spoke with Davi...	09/15/2009 11:15:51 AM
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Ted Yackulic/R10/USEPA/US
09/15/2009 11:15 AM

To Alan Henning/R10/USEPA/US@EPA, Anthony Barber/R10/USEPA/US@EPA, Janis Hastings/R10/USEPA/US@EPA, Judith Lee/R10/USEPA/US@EPA, Kathleen Veit/R10/USEPA/US@EPA, Nancy Helm/R10/USEPA/US@EPA, Paul Koprowski/R10/USEPA/US@EPA, Richard Parkin/R10/USEPA/US@EPA, Rick Albright/R10/USEPA/US@EPA, Running Grass/R10/USEPA/US@EPA

cc

Subject Re: Seneca ADR 

Attorney Client Communication

I spoke with David Batson and Joanne Dea about the contract and scope issues. I learned that because of the change in scope the Office of Conflict Prevention and Resolution would have to re-consider its commitment to fund the project, and that the contract would have to be re-scoped if funded.

To re-consider funding they would need a clear idea of the issue(s), a better sense of the stakeholders (how many communities and constituent groups), commitments to fund by the Region and locals and a sense of the federal issue (are there federal issues involved or is this local and state). David and Joanne suggested that we may receive a commitment if there was support from the Region and because of the likely change in numbers of parties and scope that the effort may increase.

Any input on the Region's commitment is appreciated.

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